

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

HYLANT GROUP, INC. and HYLANT OF
INDIANAPOLIS, LLC

Plaintiffs,

v.

NICHOLAS IAONNACCI and HUNTINGTON
INSURANCE, INC.,

Defendants.

Case No. 1:14-cv-516

NOTICE OF REMOVAL

Defendants, Nicholas Iannacci and Huntington Insurance, Inc. (collectively, “Defendants”), by counsel and pursuant to 28 U.S.C. §§ 1441 and 1446, hereby file their Notice of Removal of the above-entitled action from the Hamilton County Superior, Indiana, where it is currently pending, to the United States District Court for the Southern District of Indiana, Indianapolis Division. In support of this Notice of Removal, Defendants state the following:

1. On March 26, 2014, Hylant Group, Inc. and Hylant of Indianapolis, LLC (collectively, “Hylant”) commenced in Hamilton County Superior Court an action entitled *Hylant Group, Inc. and Hylant of Indianapolis, LLC v. Nicholas Iannacci and Huntington Insurance, Inc.*, Cause No. 29D01-1403-PL-2796. All of the pleadings, orders and other documents served on or obtained by Defendants related to the Hamilton County action are attached as Exhibit 1.

2. The Verified Complaint for Injunctive Relief and Damages was served on Defendants on or about March 27, 2014. This was the first receipt by Defendants, through service or otherwise, of a copy of the pleading setting forth the claim for relief upon which such action is based.

3. This Notice of Removal is filed within 30 days after receipt by Defendants of the Complaint, which was the initial pleading setting forth the claim for relief.

4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 and supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

5. This action may be removed to this Court pursuant to 28 U.S.C. § 1441(a) in that this action arises under the laws of the United States, specifically the Computer Fraud & Abuse Act, 18 U.S.C. § 1030 (as alleged in Count III of Hylant's Complaint).

6. As Hylant brings this action and seeks remedies and damages pursuant to federal law, this Court has original jurisdiction over the matter pursuant to 28 U.S.C. § 1331. The Court has supplemental jurisdiction over the remaining claims, which are so related that they form part of the same case or controversy. *See* 28 U.S.C. § 1367(a).

7. Defendants have served on counsel for Hylant copies of this Notice of Removal with attachments and have filed a true copy of this Notice of Removal with attachments with the Clerk of the Hamilton Superior Court.

WHEREFORE, Defendants respectfully request the Court to accept this Notice of Removal and assume jurisdiction over this action, and for all other relief proper in the premises.

Respectfully submitted,

ICE MILLER LLP

/s/ George A. Gasper

George A. Gasper (#24466-41)

Derek R. Molter (#27260-53)

*Attorneys for Defendants, Nicholas
Iaonnacci and Huntington Insurance, Inc.*

ICE MILLER LLP
One American Square, Suite 2900
Indianapolis, IN 46282
(317) 236-2100
george.gasper@icemiller.com
derek.molter@icemiller.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served via electronic mail and United States First Class mail, postage prepaid, on the 4th day of April, 2014, to the following counsel of record:

Steven M. Badger
Attorney at law
12730 Meeting House Road, Suite 200
Carmel, IN 46032
sbadger@badgercounsel.com

/s/ George A. Gasper